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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Action Star Enterprise Co., Ltd.

Plaintiff,

v.

KaiJet Technology International Limited,
and DOES 1 to 10,

Defendants.

Case No. 2:12-CV-08074-BRO-MRW

**STIPULATED DISMISSAL OF
DEFENDANT KAIJET
TECHNOLOGY INTERNATIONAL
LIMITED'S SECOND
COUNTERCLAIM FOR
DECLARATORY JUDGMENT OF
INVALIDITY OF U.S. PATENT NO.
8,099,535**

Pursuant to Local Rules 7-1 and 52-4.1, Plaintiff Action Star Enterprise Co., Ltd. (“Action Star”) and Defendant KaiJet Technology International, Limited (“KaiJet”) respectfully submit this Stipulation for the dismissal of KaiJet’s Second Counterclaim for Declaratory Judgment of Invalidity of U.S. Patent No. 8,099,535 (“the ‘535 patent”) as moot.

On April 21, 2014, the Court entered its Order Granting Defendant’s Motion for Summary Judgment. (Dkt. No. 69). The Court’s Order disposed of all of Action Star’s claims in this case. In light of this Order, KaiJet’s second counterclaim for declaratory judgment of invalidity of the ‘535 patent (Dkt. No. 9 at 6) is rendered moot because there is no longer an active case or controversy with respect to Action Star’s allegations of infringement against KaiJet.

Accordingly, KaiJet, by and through its counsel, hereby stipulates to dismiss without prejudice its counterclaim of invalidity of the ‘535 patent as moot. The parties stipulate to the entry of the Proposed Order submitted herewith.

SO STIPULATED.

Dated: May 12, 2014

ALSTON & BIRD LLP

By: /s/ Ryan W. Koppelman
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ATTESTATION OF E-FILED SIGNATURES

I, Ryan W. Koppelman, am the ECF user whose ID and password are being used to file the foregoing document on behalf of Action Star Enterprise Co., Ltd. In compliance with Civil L.R. 5-1(i) (3), I hereby attest that Jen-Feng (Jeff) Lee has concurred in this filing.

Dated: May 12, 2014

By: /s/ Ryan W. Koppelman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system this 12th day of May 2014.

/s/ Ryan W. Koppelman
Ryan W. Koppelman